

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CITY OF DAYTON,

Plaintiff,

-vs-

:

Case No. 3:11-cv-383

:

District Judge Walter Herbert Rice
Magistrate Judge Michael J. Newman

A.R. ENVIRONMENTAL, INC., *et al.*, :

Defendants.

ORDER DENYING DEFENDANT ALEX PENLAND’S MOTION TO JOIN (DOC. 11)

Now before the Court is *pro se* Defendant Alex Penland’s motion “to join Defendants bonding company as a Defendant.” Doc. 11. Defendant Penland argues that, under Civil Rule 19, the Court must join a bonding company -- “American Contracting Services, Inc.” -- as a defendant to this action.

The Court finds that the requirements for mandatory joinder under Civil Rule 19 have not been met. *See* Fed. R. Civ. P. 19(a)(1). Therefore, Defendant’s motion (doc. 11) is **DENIED**. Defendant is directed to Civil Rule 14.

IT IS SO ORDERED.

March 6, 2012

s/ **Michael J. Newman**
United States Magistrate Judge